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APPLICATION N	10.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/938,166	•	08/23/2001	David A. Carlson	05655.P002	1284
8791	7590	08/26/2004		EXAMINER	
		LOFF TAYLOR &	NGO, CHUONG D		
12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030				ART UNIT	PAPER NUMBER
				2124	
				DATE MAILED: 08/26/2004	1

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary    Og/938,166					- 4/1,				
## Chung D Ngo			Application No.	Applicant(s)	Ve				
Chuong D Ngo 2124  The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Editations of time rapp be available under the provision of 3 CFR 1.13(g). In no event, however, may a reply be timely filed  Editations of time rapp is available under the provision of 3 CFR 1.13(g). In no event, however, may a reply be timely filed  Editations of time rapp is available under the provision of 3 CFR 1.13(g). In no event, however, may a reply be timely filed  Editation of the reply is specified above. The maximum of 3 CFR 1.13(g). In no event, however, may a reply be timely filed  Editation of the people of reply is provided under the main of the communication of the people of the p			09/938,166	CARLSON ET AL.					
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Attachment(s)	Attachmer	nt(s)							
1) Notice of References Cited (PTO-892)  4) Interview Summary (PTO-413)	_	• •	4) Inter	view Summary (PTO-413)					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date	2) Notice	ce of Draftsperson's Patent Drawing Review (PTC	9-948) Pape	er No(s)/Mail Date					
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152)  6) Other:	Pape	er No(s)/Mail Date			152)				

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## **DETAILED ACTION**

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

Claims 1-22, drawn to an entropy generator, classified in class 708, subclass
 250.

II. Claims 23-30, drawn to a robust random number generator, classified in class708, subclass 254.

2. The inventions are distinct, each from the other because of the following reasons:

Inventions II and I are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination (Group II) does not require the particular entropy generator of the subcombination (Group I) as claimed for patentability because claims to both the combination and subcombinations are presented and assumed to be patentable. The omission of specific structures of the subcombinations in the combination as recited in independent claims 23 and 27, is an evidence that the combination (Group II) does not rely on the details of the specific subcombination (Group I), for patentability. In addition, the subcombination (I) has separate utility for generating entropy. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.

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3. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

- 4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).
- 5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuong D Ngo whose telephone number is (703) 305-9764. The examiner can normally be reached on Tuesday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (703) 309-9662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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